IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

WP(C).No. 38106 of 2007(J)

PETITIONER:

ABDULLAKUTTY, S/O.BAPPUNU HAJI,
RAMANALUKKAL HOUSE, KAIMALASSERY POST,
THRIPRANGODE, MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.SUDHEER

RESPONDENTS:
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1. THE DISTRICT COLLECTOR, MALAPPURAM.

2. THE SUB DIVISIONAL MAGISTRATE,
TIRUR, MALAPPURAM DISTRICT.

3. THE SUB INSPECTOR OF POLICE, TIRUR,
TIRUR POLICE STATION, MALAPPURAM DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN,J

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W.P.(C).No.38106 of 2007

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Dated this the 24th day of December, 2007

JUDGMENT

Petitioner's vehicle bearing Registration No.KL-10Z 879 was seized by the respondent on allegation of illegal transportation of river sand in violation of the provisions of the Kerala Protection of River Banks and Regulation of Removal of Sand Rules, 2002. The petitioner seeks interim custody of vehicle on the ground that the petitioner is not guilty of the offences alleged against him.

I have heard the learned Government Pleader also. In the facts and circumstances of the case, I dispose of the writ petition with a direction to the first respondent to pass final orders pursuant to Ext.P3 as provided under the Kerala Protection of River Banks & Regulation of Removal of Sand Act and Rules, as expeditiously as possible, at any rate, within seven days from the date of receipt of a copy of this judgment, after considering the Ext.P4 objection filed by the petitioner and affording an opportunity of being heard to the petitioner.

S.SIRI JAGAN, JUDGE

dvs